

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Insurance Medical Services – Gazetted Establishment – Dr. R.S.Pushpakumari Civil Surgeon Specialist, (Retd.) ESI Hospital, Ramachandrapuram – Unauthorised absence to duty from 13.03.2000 to 28.07.2000 and 05.03.2003 to 29.02.2004 – Enquiry by Commissioner of Inquiries – Imposing the punishment of 20% cut in pension for a period of 5 years and to treat the unauthorized absence period as EOL – Orders – Issued.

LABOUR EMPLOYMENT TRAINING & FACTORIES (VIG) DEPARTMENT
G.O.Ms.No. 76

Dated : 24.08.2009

Read the following

1. From the IMS, Hyd. Lr.No. 17586/E1A/95, dated 17.01.96.
2. From the IMS, Hyd. LR.No. 17586/E1A/95 dated 30.03.2000.
3. Govt. Memo. 2255/Q1/96-8, dated 08.06.2000 of HM&FW (Q1) Deptt.,
4. From the DIMS, Hyd. LR.Rc.No. 84/17586/E1A/95, dated 01.01.2001.
5. G.O.Rt.No. 1639, LET&F(IMS-1) dated 26.08.2003.
6. Govt.Memo. No. 2255/IMS-1/96-15, dated 26.08.03.
7. From the DIMS, Lr.Rc.No. 17586/E1A/1995, dated 18.11.2003.
8. From the DIMS, LR.Rc.No. 17586/E1A/1995, dated 22.07.2004.
9. G.O.Rt.No. 430, LET&F (Vig) Deptt., dated 21.02.2006.
10. G.O.Rt.No. 1050, LET&F (Vig) Deptt., dated 04.05.2006.
11. Inquiry Report from the Member, COI.
12. Govt. Memo.No. 2225/Vig/96-16, dated 31.05.2007.
13. reply received Dr.R.S.Pushpa Kumari, Dated 18.07.2007.
14. Govt. Memo.No. 2225/Vig/96-18, Dated 21. 09.2007.
15. Representation from Dr.R.S.Pushpa Kumari, Dated 05.11.2007.
16. Govt. Letter. No. 2255/vig/1996-19, Dated 15.11.2007.
17. From the APPSC Lr.No. 1574/RT-I/3/2007-, Dated 07.12.2007.

In the references 1st and 2nd read above, the Director, Insurance Medical Services has brought to the notice of the Government that Dr.R.S.Pushpa Kumari, Civil Surgeon Specialist (Retd), ESI Hospital was on unauthorized absence to duty in two spells i.e 1.9.95 to 28.7.2000 and from 31.7.2000 to 13.3.2003 and requested the Government to take disciplinary action against her.

2. In the reference 3rd read above a charge memo was issued to Dr.R.S.Pushpa Kumari, Civil Surgeon Specialist with a direction to submit her written statement of defence. In the reference 4th read above the Director, Insurance Medical Services has informed that Dr.R.S.Pushpa Kumari, Civil Surgeon Specialist, did not submit any explanation to the charge memo though it is acknowledged on 14.7.2000. In the reference 5th read above, articles of charges were served on Dr.R.S.Pushpa Kumari with a request to submit her statement of defence. In the reference 6th read above Dr.T.Yamuna, Civil Surgeon Specialist, ESI, Nacharam was appointed as Enquiry Officer under Rule 20 of Andhra Pradesh Civil Services (CCA) Rules 1991 to inquire into the charges framed against the Charged Officer. In the reference 7th read above Dr.R.S.Pushpa Kumari has submitted her explanation denying the charges. In the reference 8th read above the Director, Insurance Medical Services has requested the Government to entrust the case to the Commissioner of Inquiries in view of the inability expressed by Dr.T.Yumana Civil Surgeon Specialist to conduct inquiry.

3. In the reference 9th read above Sri.S.Satyanarayana, Member, Commissioner of Inquiries was appointed as Inquiry Authority under Sub rule (2) of Rule 20 of Andhra Pradesh Civil Services (CCA) Rules 1991, to conduct a regular inquiry in the matter and in the reference 10th read above Dr.D.Vasudha, Civil Surgeon Specialist, ESI Hospital, Sanathnagar, Hyderabad was appointed as Presenting Officer to assist the Inquiring Authority in the case.

4. In the reference 11th read above the Member, Commissioner of Inquiries has submitted the report substantiating two charges leveled against her as proved viz.,

Article –I: That Dr. R.S.Pushpa Kumari, Civil Surgeon Specialist, after unauthorized absence from duty, has reported for duty at the place of posting, i.e., ESI Hospital, Tirupathi on 29.07.2000 F.N. She has worked for only two days and has been under unauthorized absence from duty 31.07.2000 onwards.

Article-II, That Dr. R.S.Pushpa Kumari, Civil Surgeon Specialist ESI Hospital, Tirupathi, has violated Andhra Pradesh Civil Services (Conduct) Rules, 1964.

5. In the reference 12th read above, a copy of the report of the Commissioner of Inquiries was served on Dr.R.S.Pushpa Kumari, Civil Surgeon Specialist, with a request to submit her representation if any. In the reference 13th read above the Charged Officer has submitted her representation and requested to view this case sympathetically and do justice at the earliest. She has not brought out any new facts or grounds for consideration Government have examined the representation in detail and it is provisionally decided to impose the penalty of 20% cut in pension for 5 years under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980 and in the reference 14th read above a show cause notice was served on the charged officer with a direction to submit her explanation in the matter.

6. In the reference 15th read above Dr.R.,S.Pushpa Kumari, Civil Surgeon Specialist (Retd.) has submitted her representation and requested to view the unauthorized absence period leniently on humanitarian grounds and reduce the penalty to the minimum possible extent.

7. In the reference 16th read above, Government have sought the concurrence of the Andhra Pradesh Public Service Commission and in the reference 17th read above, the Andhra Pradesh Public Service Commission has concurred with the proposal of the Government for imposing the penalty of 20% cut in pension for 5 years and also advised that the period of un-authorised overstayal by the C.O. may be treated as Extra Ordinary Leave or Dies-Non.

8. Government have examined the matter in detail with the material made available and decided to accept the advice of the Andhra Pradesh Public Service Commission and to impose the penalty of 20% cut in pension for a period of 5 years and also to treat the unauthorized absence period i.e., from 13.03.2000 to 28.07.2000 and 05.03.2003 to 29.02.2004 as Extra Ordinary Leave under rule 9 of Andhra Pradesh Revised Pension Rules, 1980 against Dr.R.S.Pushpakumari, Civil Surgeon Specialist (Retd.)

9. Accordingly, the Director, Insurance Medical Services is hereby directed to impose the punishment of 20% cut in pension for a period of 5 years and to treat the unauthorized absence period i.e., from 13.03.2000 to 28.07.2000 and 05.03.2003 to 29.02.2004 as Extra Ordinary Leave under rule 9 of Andhra Pradesh Revised Pension Rules, 1980 against Dr.R.S.Pushpakumari, Civil Surgeon Specialist (Retd.)and to send a compliance report to Government.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

BHANWAR LAL,
PRINCIPAL SECRETARY TO GOVERNMENT

To
Dr. R.S.Pushpakumari, Civil Surgeon Specialist (Retd.),through
the Director, Insurance Medical Services, Hyderabad.
The Director, Insurance Medical Services, Hyderabad.
The Commissioner of Inquiries , Hyderabad.
The Secretary, Andhra Pradesh Vigilance Commission, Hyderabad.
The Andhra Pradesh Public Service Commission, Hyderabad.
Sf/Sc.

//FORWARDED BY ORDER//

SECTION OFFICER